



WESTFIELD-WASHINGTON  
ADVISORY PLAN COMMISSION

June 1, 2015  
1506-ZC-02

**Petition Number:** 1506-ZC-02

**Subject Site Address:** *NWC 159<sup>th</sup> Street and Towne Road*

**Petitioner:** Langston Residential Development, LLC by Nelson & Frankenberger, P.C.

**Request:** Primary Plat and Overall Development Plan review for **Bent Creek** consisting of 158 single-family lots.

**Current Zoning:** SF2: Single-Family Low Density District with Zoning Commitments

**Current Land Use:** Vacant

**Approximate Acreage:** 129.74 acres+/-

**Property History:** 0407-REZ-05, Change of Zoning, Ordinance 04-43 (12/13/04)

**Associated Cases:** 1506-SPP-15, Primary Plat (pending)  
1506-ODP-16, Overall Development Plan (pending)

**Exhibits:** 1. Staff Report  
2. Location Map  
3. Commitment Modification  
4. Ordinance 04-43

**Staff Reviewer:** Kevin M. Todd, AICP

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**PROCEDURAL**

In accordance with Article 10.6 Commitments of the Unified Development Ordinance (the "UDO"), a commitment made pursuant to the UDO, may be modified or terminated only by a decision of the Plan Commission or Board to which the commitment was made.

The decision must be made: (i) at a public hearing by the Plan Commission or Board, as the case may be, after notice of the hearing has been provided under the applicable Rules of Procedure; and (ii) following an introductory presentation of the proposed modification to the Council, prior to the public hearing, if the proposed modification is to a commitment originally made in connection with a change of zoning petition.

Any modification or termination of the commitments shall not be effective until: (i) reduced to writing in a form approved by the City; (ii) approved by the Plan Commission or Board, as the case may be; (iii) executed and notarized by the current Property Owner of the real estate; and, (iv) recorded in the Office of the Recorder of Hamilton County, Indiana.

An introductory presentation of the proposed modification of commitments was made at the May 11, 2015, Council meeting. This petition has been properly noticed and is scheduled for a public hearing at the Plan Commission's June 1, 2015, meeting.



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## **PROJECT OVERVIEW**

The 129.74-acre +/- site is located on the north side of 159<sup>th</sup> Street and the west side of Towne Road (see **Exhibit 2**), and is currently undeveloped. The property is zoned the SF2: Single-Family Low Density ("SF2") District, pursuant to Ordinance No. 04-43, adopted by the Council on December 13, 2004, with commitments (see **Exhibit 4**).

The petitioner desires to develop the site and has concurrently filed a request for approval of a Primary Plat (see 1506-SPP-15) and Overall Development Plan (see 1506-ODP-16), which are scheduled for a public hearing at the Plan Commission's June 1, 2015, meeting. The petitioner is requesting to modify the commitments (see **Exhibit 3**) in order to accommodate the proposed 158 lot single-family residential subdivision.

This modification of commitments is primarily intended to address the following:

1. Refine commitments to address the petitioner's particular home plans and desired neighborhood character; and
2. Remove commitments that are no longer necessary as a result of the Unified Development Ordinance.

The Modified Commitments are included at **Exhibit 3**. As proposed, the Modified Commitments would replace and supersede the commitments that were made in conjunction with the 2004 rezoning of the subject property under Ordinance 04-43 (see **Exhibit 4**). The Modified Commitments differ from the original commitments as follows:

1. The commitment for specific buffer yard requirements along the southern perimeter of the project along (referred to in the original commitments under Section 3, Item 6 as "Buffer Area Two") is proposed to be removed. The City's UDO requires more restrictive street frontage planting and mounding treatment in this situation, so the previous Buffer Area Two standards would be redundant and unnecessary.
2. The petitioner is requesting to modify the masonry requirement for homes within this development. The current commitment calls for masonry on the first-floor of all sides of the building. The Modified Commitments would change that to require an 18-inch masonry wrap (minimum) on all sides of the building and masonry on all exposed basement walls. The Modified Commitments also include a character exhibit which demonstrates the style of homes that could be built within this development.

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## **DEPARTMENT COMMENTS**

- 1) No action is required at this time except to hold the public hearing.
- 2) Prior to the final deposition, the petitioner will make any necessary revisions to the commitments based on Plan Commission and public comments.
- 3) If any Plan Commission member has questions prior to the public hearing, then please contact Jesse Pohlman at 317.402.4380 or [jpohlman@westfield.in.gov](mailto:jpohlman@westfield.in.gov).